

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77628 of 2023

Arising Out of PS. Case No.-8 Year-2023 Thana- MAHILA P.S. District- Samastipur

SANTOSH KUMAR @ SANTOSH KUMAR SAHNI Son of Ramashis
Sahni R/o vill - Korbaddha, P.S. - Samastipur Mufassil, Distt. - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar
For the Opposite Party/s	:	Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 341, 420, 504, 506 of the Indian Penal Code and Section 67(a) of the Information and Technology Act.

3. As per FIR, the informant alleged that on 30.01.2023, she felt dizziness due to which she reached at the clinic of one Dr. Ram Prakash Mahto but he was not present rather the petitioner was present there who used to work as a compounder and gave injection to the informant due to which she became unconscious. Thereafter, he committed rape with



her and made video of the same occurrence after that he started blackmailing her for establishing physical relation and committed the same offence several times.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to dirty village politics. There is inordinate delay of seven days in lodging the FIR without given any cogent reason. The informant is a wedded lady and her Medical Report is not in consonance with the prosecution version. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.08.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Mahila P.S. Case No. 08 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Sub-Divisional Judicial Magistrate-Ist, Samastipur.

(Sunil Kumar Panwar, J)

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